

Nuclear Decommissioning Citizens Advisory Panel (NDCAP)
Issues Committee Meeting Notes
Monday, April 22, 2019 (5:30 to 7 PM)
Windham Regional Commission (WRC) Conference Room
139 Main Street, Suite 505, Brattleboro, VT

NDCAP Issues Committee Members Present:

- **Chris Campany**, *Executive Director of the Windham Regional Commission (WRC), Panel Chair*
- **Michael Root**, *representing the Town of Vernon, VT*
- **Derrik Jordan** (*Putney*), *citizen appointee of House Speaker Mitzi Johnson*
- **Corey Daniels**, *ISFSI Senior Manager, NorthStar Vermont Yankee (VY)*
- **Bob Leach** (*Brattleboro*), *citizen appointee of Governor Phil Scott*, connected via teleconference line

The following Issues Committee member was absent:

- **Lissa Weinmann** (*Brattleboro*), *citizen appointee of Senate President Pro Tempore Tim Ashe, Panel Vice-Chair*

The following Vermont State Employee was in attendance:

- Tony Leshinskie, *Vermont State Nuclear Engineer (VT Public Service Department)*

The following members of the public were present for this Issues Committee meeting:

- Clay Turnbull, Brattleboro (New England Coalition)
- John Tuthill, Acworth, NH
- Schuyler Gould, Brattleboro

Initial Discussion of May 20 Meeting Agenda Items (*subsequent meeting discussion identified several additional items that should be discussed at the May meeting, as well as several items for subsequent meetings in 2019*):

Discussion led by Chris Campany noted that the May 20 meeting should include a 5 to 10-minute summary of the State Agencies assessment of NorthStar's annual report received on March 31 (a requirement of the VT Yankee Sale MOU). Corey Daniels added that since this reporting deadline was shortly after finalization of VT Yankee's purchase by NorthStar, the 2019 Annual Reporting was sparse. NorthStar reported on what it could at the time. Tony Leshinskie noted that the State Agencies recognized this and were still formulating their oversight of the active decommissioning.

Chris Campany recommended that an additional agenda item be an update of the oversight status from the State Agencies (Public Service, Natural Resources and Health). A total of 20

1 minutes for the State Update (including the assessment of the March 31 reporting) was
2 suggested. Tony Leshinskie agreed to coordinate the State Agencies presentation at the May
3 meeting. *(Subsequent Leshinskie discussion with the Agencies determined that 5 minutes for*
4 *the Annual Report evaluation and 15 minutes for the State Agencies' Status Reports would*
5 *suffice.)*

6
7 Corey Daniels noted that at the last NDCAP meeting, he had committed to summarizing recent
8 onsite decommissioning activities and outline the upcoming decommissioning schedule. He
9 could arrange for Orano to make a presentation on Reactor Vessel segmentation, as this will be
10 one of the major tasks over the next 12 to 18 months. A status update and Orano presentation
11 would run about 20 to 30 minutes in total.

12
13 Corey Daniels also noted that VT Yankee was working toward a July 11 deadline to complete
14 the site's characterization for non-radiological / hazmat clean-up. It was also noted that
15 asbestos abatement and demolition of the Cooling Towers was expected to complete this
16 summer.

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18 **Potential Meeting Dates for Rest of 2019:** The brief VT Yankee site activities schedule
19 discussion led to a discussion on possible full panel meeting dates for the rest of 2019. Bob
20 Leach suggested a meeting in August. Chris Campamy and Tony Leshinskie both noted that
21 meeting in July or August presented additional meeting logistics issues: school buildings for
22 meeting sites were typically unavailable since significant maintenance activities are conducted
23 while school is out for the summer. Potential summer vacation conflicts were also noted.
24 The Committee agreed that meetings in September (largely to update on completing the site
25 hazmat assessment) and mid-to-late November (for drafting the 2019 Annual Report that could
26 include recommendations for changes to NDCAP enabling legislation) were appropriate. A final
27 decision on meeting dates will be made by the full panel.

28
29 **Broad Issues to be Discussed by NDCAP in 2019:**

30 The following topics were suggested for consideration:

- 31 • Since the VT Yankee sale MOU includes annual reporting requirements, what is NDCAP's
32 role in this reporting? *(Further Committee discussion determined that this should be an*
33 *agenda item for both the May and either the September or November meetings.)*
34 • Would a single (common) State website be appropriate for all VT Yankee reporting
35 requirements? *(Further Committee discussion determined that this item should be*
36 *discussed at a later meeting, but not the May meeting.)*

- How can State Agencies use NDCAP to inform public and receive public feedback?
(Committee agreed this was a subject for the May meeting; may also need to be discussed at later meetings.)
- Do NDCAP members have any specific informational needs (particularly newer Panel members)? *(The Committee agreed that this may become more apparent after the Orano presentation at the May NDCAP meeting. It was agreed to consider this as a “future agenda” item.)*

Additional discussion on NDCAP potential / changing role during VT Yankee’s active decommissioning noted that, as a first step, the VT Statute establishing NDCAP should be reexamined. When the legislation was drafted it was under the assumption that there would be a SAFSTOR period to some extent. Is the structure of NDCAP still appropriate (e.g. there are no longer IBEW members working onsite)? Is it appropriate that some Panelists voting on advice / recommendations from NDCAP are part of organizations potentially advised by the Panel? Should a separate committee be formed to reexamine the establishing Statute and/or the NDCAP Charter? (Committees for Statute changes and Charter revision were suggested separately.)

Chris Campany suggested that the Legislature representation on NDCAP be consulted on how best to recommend changes to the establishing Statute. Chris also requested that Tony Leshinskie pursue whether attorneys from State Agencies represented on the Panel could be consulted for this purpose. Corey Daniels agreed to contact the IBEW to discuss “VY worker representation” on NDCAP.

Potential NDCAP Response / Participation in Nuclear Energy Innovation and Modernization Act (NEIMA) Public Meetings:

NDCAP’s potential involvement in the Nuclear Regulatory Commission’s obligations under the 2019 NEIMA federal legislation was broached by Corey Daniels. Chris Campany and Tony Leshinskie briefly described NEIMA for the rest of the meeting attendees.

NEIMA requires the NRC to author a Congressional Report (by mid-2020) on “best practices” for facilitating public involvement in active reactor decommissioning via panels such as NDCAP. Through April 17, the NRC sought location requests (throughout the United States) for at least 10 public meetings to be held this summer. Preferred meeting locales are near actively decommissioning plants or in communities with established public engagement panels. Privately, NRC officials have indicated to Tony that the NRC is highly interested in using VT NDCAP experience and expects to host one of its required meetings in the VT Yankee site vicinity. Chris reported that, as Windham Regional Commission Executive Director, he filed a

1 response letter requesting a meeting in the Brattleboro / Vernon, VT area. Tony added that
2 that he had drafted a similar request which was submitted through Public Service
3 Commissioner (and NDCAP member) June Tierney's office.
4

5 Chris Campany recommended that NDCAP discuss a NEIMA response at the May meeting.
6 NDCAP should consider whether it is appropriate for the Panel to draft a NEIMA reply as a
7 whole (recognizing that this would not preclude Panel members from responding as individuals
8 or representatives of their respective agencies/organizations/communities). Should NDCAP
9 submit comments for one of the NEIMA meetings? A NEIMA response discussion may also be
10 appropriate for a future Issues Committee meeting (before or after the May's full Panel
11 meeting).
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13 Public questions / comments on NDCAP NEIMA participation included:

- 14 • Will a report for the NRC be prepared by NDCAP?
- 15 • Is NDCAP open to accepting public comments on "NDCAP best practice" items?
- 16 • It was requested that engagement between NDCAP and the NRC be made as meaningful as
17 possible.

18 In response to these comments, it was noted (mostly by Chris Campany) that members of the
19 public could submit opinions to the NRC on NDCAP practices to date, i.e., what has the Panel
20 done well and what has not been done well. At the very least, the Panel can summarize to the
21 NRC what it has done to date (relying upon NDCAP Annual Reports) and how it was formed.
22 Tony Leshinskie agreed to work with Chris Campany on drafting a summary about the Panel's
23 formation and an overview of the topics discussed to date at Panel meetings. Panel members
24 could speak on their own behalf (or on behalf of the organization/agency/community they
25 represent) to share their perspective on best practices.
26

27 **Additional Items for Consideration in 2019:**

- 28 • Summary of the Non-Radiological VT Yankee Site Characterization (*item for later meeting*)
- 29 • Summary of Potential NEIMA reporting items (*initial list to be compiled for May meeting*)
- 30 • A Site Restoration Discussion – what happens next at VT Yankee; how can site be
31 repurposed? (*item for later meeting*). It was noted that the Town of Vernon is already
32 exploring post-decommissioning land use.
- 33 • Corey Daniels suggested using summer interns from Antioch University to explore site
34 redevelopment and repurposing. Perhaps funding college internships for this is
35 appropriate? (*item for later meeting*)
36 It was suggested that the Panel contact Town of Vernon to discuss or coordinate efforts.
37 Corey Daniels agreed to discuss this with Mike Root to see how best to proceed.

1 *(Committee agreed this should start with a discussion between NorthStar and Town of*
2 *Vernon before becoming a potential NDCAP agenda item.)*

- 3 • It was suggested that the Texas Low Level Radioactive Waste Compact report to NDCAP on
4 an annual basis *(item for later meeting)*.
- 5 • Have Chris Campany summarize the first meeting of the Nuclear Decommissioning
6 Collaborative, which he recently attended. The Collaborative brings together several
7 nuclear host communities and federal agencies such as US Department of Commerce, HUD,
8 DOE, Agriculture, NRC and the EPA. *(This was added to the May meeting agenda.)*
- 9 • Should NDCAP discuss / propose a convention of host communities, including potential rad-
10 waste recipient communities, as Windham Regional Commission has already proposed?
11 *(discuss item further at future Committee meeting)*

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13 Public comments on these potential agenda items:

14 Clay Turnbull noted that site re-use needs to be looked at both with and without onsite spent
15 fuel storage.

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17 **Summary of Items Selected for May 2019 NDCAP Meeting Agenda:**

- 18 • State Evaluation of NorthStar Annual Report
- 19 • State Agencies' VY Decommissioning Oversight Status Update
- 20 • NorthStar Update on VY Site Decommissioning Activities
- 21 • Orano Presentation on Reactor Vessel Segmentation
- 22 • Issues Committee Recommendations on Topics to Be Addressed by the Panel in Calendar
23 Year 2019:
 - 24 - Panel Role in Annual Reporting Requirements as part of its public information and
25 engagement function
 - 26 - Panel Role in State Oversight Agency Communication to Inform and Engage the Public
- 27 • Revisit Legislation that Created Panel: Role, Composition, Operation, Administrative
28 Support
- 29 • Panel Participation in Nuclear Energy Innovation and Modernization Act Requirements
- 30 • Summary of First Nuclear Decommissioning Collaborative Meeting
- 31 • Scheduling Remaining 2019 Panel Meetings

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33 **Potential Items for Future Meetings:**

- 34 • VT Yankee Non-Radiological Site Characterization
- 35 • Continued discussion of Panel Role in Annual Reporting Requirements
- 36 • Propose modifications of Panel Enabling Legislation and Panel Charter to reflect new
37 decommissioning and site restoration context.
- 38 • Recommend a single (common) State website for all VT Yankee reporting requirements

- 1 • Define role and function of NDCAP as a means by which State oversight agencies can
- 2 educate and inform public discussion and receive comments from the public.
- 3 • Specific informational needs for newer Panel members
- 4 • Continuation of Panel NEIMA participation
- 5 • Hear from the Town of Vernon about its planning efforts that would inform site reuse
- 6 options from a town plan policy perspective, and what that means for site restoration.
- 7 • Texas Low Level Radioactive Waste Compact annual report to NDCAP
- 8